

IMPORTANT CONFIDENTIALITY NOTICE

The documents accompanying this telecopy transmission contain confidential information belonging to the sender which is legally protected. The information is intended only for the use of the individual or entity named below. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this telecopied information is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone (collect) to arrange for return of the telecopied document to us.

TO: Mail Stop AF - United States Patent and Trademark Office

Fax No. 571-273-8300

Phone No.

**RECEIVED
CENTRAL FAX CENTER****NOV 10 2008****FROM:** Sarah Ann Dressel (Typed or printed name of person signing Certificate)

Fax No. 513-945-6843

Phone No. 513-983-4371

Application No.: 10/654,228

Inventor(s): Michael G. Hayek, et al.

Filed: September 3, 2003

Docket No.: P127C

Confirmation No.: 4744

**FACSIMILE TRANSMITTAL SHEET AND
CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on November 10, 2008, to the above-identified facsimile number.

 (Signature)

Listed below are the item(s) being submitted with this Certificate of Transmission:**

- 1) Notice of Appeal – 1 page
- 2)

Number of Pages Including this Page: 2 pages

Comments:

**Note: Each paper must have its own certificate of transmission, OR this certificate must identify each submitted paper.

NOV-10-2008 16:07

HHC IP DIVISION

RECEIVED
CENTRAL FAX CENTER

513 945 6843 P.02/02

NOV 10 2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/654,228
Inventor(s) : Michael G. Hayek, et al.
Filed : September 3, 2003
Art Unit : 1616
Examiner : Nathan W. Schlientz
Docket No. : P127C
Confirmation No. : 4744
Customer No. : 27752
Title : Process for Enhancing Immune Response in Canines Using
a Dietary Composition Including Garlic

NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES.

Mail Stop AF
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner. This should be considered a timely Notice of Appeal as November 8, 2008 falls on a Saturday. Authorization is hereby given to charge the required fees or any additional fees that may be required, or credit any overpayment, to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY



Sarah Ann Dressel
Registration No. 58,484
(513) 983-4371

Date: November 10, 2008

Customer No. 27752